

Doc Code: AP.PRE.REQ

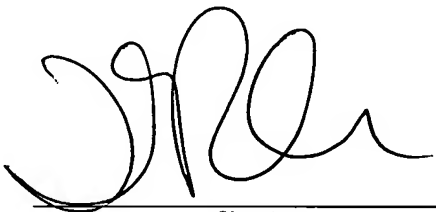
PTO/SB/33 (07-05)

Approved for use through xx/xx/200x. OMB 0651-00xx

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 2091-0286P	
	Application Number 10/602,671-Conf. #1973	Filed June 25, 2003	
	First Named Inventor Yukinori NOGUCHI		
	Art Unit 2136	Examiner R. Baum	
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <p><input type="checkbox"/> applicant /inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number 40,439</p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34.</p> <div style="text-align: right;"> _____ Signature D. Richard Anderson _____ Typed or printed name (703) 205-8035 _____ Telephone number December 10, 2007 _____ Date</div> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <p><input type="checkbox"/> *Total of 1 forms are submitted.</p>			

REASONS IN SUPPORT OF PRE-APPEAL BRIEF REQUEST FOR REVIEW

Claims 1-5 (i.e., all pending claims) stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Kuzma, U.S. Patent No. 5,771,355. For at least the following reasons, Applicant respectfully submits that this rejection is clearly deficient as failing to address all limitations recited in independent claim 1.

Independent claim 1 recites an image data management apparatus comprising: property information obtaining means for obtaining property information of an image data set to be managed; security processing method setting means *for setting a security processing method for each of items of the property information*; security processing means for *carrying out security processing on each of the items of the property information according to the security processing method that has been set*; attachment means for attaching the property information having been subjected to the security processing to the image data set; and image data storage means for storing the image data set attached with the property information. Claim 1 specifies that the property information obtaining means includes at least one of image analysis means for obtaining the property information of the image data set by analyzing the image data set and input means for inputting items constituting the property information, the input means being used by a user to input the items of the property information.

According to an aspect of the disclosed embodiments, property information is associated with image data sets and may be used to search and view such image data (e.g., photographs). Property information may include items that are accessible to other users (e.g., *date of photography, color information, parameter for automatic set-up processing*) and other items that may be restricted/secure (e.g., *identity of person in*



photograph, photograph location). Certain property information items may be obtained automatically by analyzing image data sets, while other property information items (e.g., *identity of person in an image*) may be input by the user. Page 24, lines 3-13. The present invention provides “security processing” for such property information items prior to attachment of property information items to an image data set. For example, the user may select security for certain property information items, such that such secure property information items are not attached to the image data set accessible by other users. See e.g., Page 24, line 18 – Page 25, line 8; Page 30, lines 20-24. Thus, the claimed apparatus is able to perform specified security processing on some property information items, such as *the name of photographer, subject information* (the name of a subject in the case the subject is a person), *a photography location* and a *comment*, and is able to not perform security processing on other property information items, such as *the date of photography, color information*, and a *parameter of automatic set-up for image quality improvement*, based on the security processing setting for each such property item.

Kuzma discloses a system for transmitting electronic mail with attachments in a computer network. See e.g., Abstract. Page 2 of the Advisory Action dated September 25, 2007 asserts that “*if security for the email and associated attachment is such that the security is applied to both ... the security processing is indeed applied to the properties.*” Thus, the rejection seems to suggest that any email system that applies security processing to an email with attachments satisfies the features of claim 1.

Initially, Applicant notes that Kuzma does not discuss security processing for properties of an email or its attachments as alleged in the rejection. Furthermore, Kuzma does not teach or suggest performing setting security processing for each of the property

items and performing security processing on each of the property items according such the security processing method that has been set as required by claim 1. Even assuming *arguendo* that the system disclosed by Kuzma executes a security process on email properties as well as emails and attachments as asserted in the rejection, this does not teach applying such security processing selectively to each of the property items according to the security processing that has been set for each such property item. In other words, Kuzma does not disclose executing security processing for some of the property items, such as *authorship*, *forwarding* and *management*, and not executing security processing on other property items such as *compression*, *parameters/protocols* and *storage*.

Accordingly, Applicant respectfully submits that the rejection has failed to address all the limitations of claim 1 and requests reconsideration and withdrawal of the rejection of claims 1-5 under 35 U.S.C. § 102(b).